

Suggested language to amend 1978 PA 368 that would prohibit a person in Michigan under the age of 18 from using a tanning device in a tanning facility

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 13405 (MCL 333.13405), as added by 2008 PA

368. THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

Sec. 13405. (1) Before allowing a customer to use a tanning device, the owner or operator of any tanning facility shall require the customer to sign a written statement acknowledging that the customer has read and understood the written statement required under section 13403(1) and agrees to use protective eyewear. The owner or operator of the tanning facility shall do all of the following:

- (a) Require a customer to sign the statement at least once in a 1-year period.
- (b) Retain the written statement for not less than 1 year.
- (c) Make the written statement available for inspection upon request of a law enforcement officer.

~~(2) In the case of a customer under 18 years of age, the written statement described in subsection (1) shall also be signed by the customer's parent or legal guardian while the parent or legal guardian is physically present at the tanning facility and shall be signed in the presence of the owner or operator. THE OWNER OR OPERATOR OF A TANNING FACILITY SHALL NOT ALLOW A PERSON UNDER 18 YEARS OF AGE TO USE A TANNING DEVICE.~~

(3) AN OWNER OR OPERATOR OF A TANNING FACILITY THAT VIOLATES SUBSECTION (2) IS GUILTY OF A MISDEMEANOR PUNISHABLE BY A FINE OF NOT MORE THAN \$500.00 FOR EACH VIOLATION. PROOF THAT THE OWNER, THE OPERATOR, OR AN EMPLOYEE OF THE TANNING FACILITY DEMANDED AND WAS SHOWN A DRIVER LICENSE OR IDENTIFICATION CARD ISSUED BY THIS OR ANOTHER STATE, A MILITARY IDENTIFICATION CARD, A PASSPORT, OR OTHER

GOVERNMENT-ISSUED IDENTIFICATION THAT CONTAINS THE NAME, AGE, AND A PHOTOGRAPH OF THE INDIVIDUAL, AND PROOF THAT THE IDENTIFICATION INDICATED THAT THE INDIVIDUAL WAS NOT UNDER THE AGE OF 18 YEARS, IS A DEFENSE TO AN ACTION FOR A VIOLATION OF SUBSECTION (2) .

Prohibit people under 18 years of age from using commercial tanning devices

Exposure to ultraviolet light has long been recognized as a major cause of various types of skin cancer, pre-malignant skin lesions, and signs of aging. The skin cancers range from deadly melanomas to the numerous usually treatable basal cell carcinomas and squamous cell carcinomas. The common photo aging effects are wrinkles, hyperpigmentation, dilated blood vessels, and atrophic skin. There is a correlation between an early age of ultraviolet exposure, the amount of exposure, and the adverse effects caused by ultraviolet light exposure. Both forms of ultraviolet light, UVA and UVB, are carcinogens. Exposure to any type of ultraviolet light should be limited.

It is well documented that individual exposure to ultraviolet light has increased over the years due to changes in life style and the use of tanning devices. Unfortunately, the rate of skin cancer has dramatically increased due to the increase in ultraviolet light exposure. There has been a rapid increase in deaths from melanoma. Melanoma is now one of the leading causes of cancer deaths. Treatable skin cancers are now very common. The economic burden to society to test for and treat all skin cancers is rapidly increasing due to the proliferation of cases. Treatments, surgical and medical, and tests are more expensive than in the past, which is adding to the cost. The destruction of pre-malignant actinic keratoses is one of the most widely used and billed medical procedures.

Exposure to ultraviolet light, especially needless exposure in tanning devices, has to be reduced to prevent the above adverse effects. There is no such thing as safe sun tanning because ultraviolet light is required to induce a tan. That is why individuals under the age of 18 should not be allowed to use commercial tanning devices. States restrict minors from buying alcohol and tobacco products for health reasons. More recently states such as California, Delaware, District of Columbia, Illinois, Louisiana, Minnesota, Nevada, Oregon, Texas, and Vermont have enacted legislation to protect the health of its citizens by prohibiting people under 18 years of age from using a tanning device in a tanning facility.

I hope that Michigan will soon be added to this list of states that protect the health and economic well being of its citizens by enacting similar legislation.

I ask that you sponsor and support legislation that will prohibit people under the age of 18 years from using a tanning device in a tanning facility.

Thank you.

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